

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

MARCUS B. GORDON, SR.

PETITIONER

VERSUS

CIVIL ACTION NO. 5:03cv509DCBJCS

M. PETTIFORD, UNKNOWN MITCHELL,
UNKNOWN JACKSON, UNKNOWN NASH,
UNKNOWN SMITH, UNKNOWN FRASIER,
UNKNOWN WILLIAMS, and JOHN DOES

RESPONDENTS

ORDER

Upon consideration of the appeal to the United States Court of Appeals for the Fifth Circuit filed by the petitioner in the above entitled action, the Court notes that the petitioner failed to pay the appeal fee in the amount of \$455.00 or to complete an application to proceed in forma pauperis. Accordingly, it is hereby

ORDERED:

1. That within 20 days of the entry of this order the plaintiff/petitioner shall file a completed application for leave to proceed in forma pauperis or pay the required appeal filing fee of \$455.00.

2. That the Clerk shall mail the attached in forma pauperis application to the plaintiff/petitioner at his/her last known address.

Failure to advise this court of a change of address or failure to comply with any order of this Court will be deemed as a

purposeful delay and contumacious act by the plaintiff/petitioner and may result in the denial of in forma pauperis status.

THIS the 8th day of November, 2006.

S/DAVID BRAMLETTE

UNITED STATES DISTRICT JUDGE